

JUDGE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	NO. CR06-5597RBL
)	
Plaintiff,)	
)	ORDER GRANTING MOTION TO
vs.)	CONTINUE TRIAL DATE AND
)	PRETRIAL MOTIONS' DUE DATE
JON RANDALL ZELLMER,)	
)	
Defendant.)	
_____)	

Based on the motion by the defendant to continue the trial date, and the Waiver of Speedy Trial Rights filed by the defendant, the Court makes the following findings of fact and conclusions of law:

1. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(i).

3. The defense needs additional time to explore issues of some complexity, including all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(8)(B)(ii).

1 4. Taking into account the exercise of due diligence, a continuance is necessary
2 to allow the defendant the reasonable time for effective preparation of his defense. 18
3 U.S.C. § 3161(h)(8)(B)(iv).

4 NOW, THEREFORE,

5 IT IS HEREBY ORDERED that the trial date is continued from January 8, 2007
6 March 26, 2007, at 9:00 am The resulting period of delay from January 8, 2007, to
7 March 26, 2007, is hereby excluded for speedy trial purposes under 18 U.S.C.
8 § 3161(h)(8)(A) and (B).

9 Pre-trial motions are due no later than February 20, 2007.

10 IT IS SO ORDERED this 12th day of December, 2006.

11 
12 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

13 Presented By:

14 /s/ _____
15 Miriam Schwartz
16 Assistant Federal Public Defender
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